

REFERENCES IN TEXT

Section 2018(c) of the International Narcotics Act of 1986, referred to in subsec. (b)(6), means section 2018(c) of Pub. L. 99-570, known as the International Narcotics Control Act of 1986, which is set out as a note under section 2291 of this title.

This title and titles VII, XIII, XVIII, and XIX, referred to in subsecs. (b)(9), (10) and (c), are titles XVII, VII, XIII, XVIII, and XIX, respectively, of Pub. L. 95-118. Title VII enacted sections 262d and 262e of this title, repealed sections 283y, 284m, and 290g-9 of this title, and enacted provisions set out as a note under section 262c of this title. Title XIII is classified to sections 262m to 262m-7 of this title. Title XVII is classified to sections 262r to 262r-2 of this title. Title XVIII is classified to sections 262s to 262s-2 of this title. Title XIX is classified to section 262t of this title. For complete classification of these titles to the Code, see Tables.

Reorganization Plan No. 4 of 1965, referred to in subsec. (d), is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1996—Subsec. (c)(2). Pub. L. 104-208 inserted “Bank for Economic Cooperation and Development in the Middle East and North Africa,” after “Inter-American Development Bank”.

1990—Subsec. (c)(2). Pub. L. 101-513 inserted “European Bank for Reconstruction and Development,” before “International Development Association.”

CHANGE OF NAME

Committee on Banking, Finance and Urban Affairs of House of Representatives treated as referring to Committee on Banking and Financial Services of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 262o-1, 262p-4o, 262p-4p, 2421 of this title.

§ 262r-1. Transmission to the Congress of operating summaries of the multilateral development banks

The Secretary of the Treasury shall transmit to the Congress, on a monthly basis, current copies of the Monthly Operating Summary of the International Bank for Reconstruction and Development, showing the loan proposals or appraisal reports under consideration and the status of those loan proposals or appraisal reports within the Bank. The Secretary of the Treasury shall also transmit to the Congress, at such times as may be appropriate, comparable documents prepared by the other multilateral development banks which show the loans or credits under consideration in the other multilateral development banks.

(Pub. L. 95-118, title XVII, §1702, as added Pub. L. 101-240, title V, §541(a), Dec. 19, 1989, 103 Stat. 2516.)

DEFINITIONS

The definitions in section 262r of this title apply to this section.

§ 262r-2. Combined report on effect of pending multilateral development bank loans on environment, natural resources, public health, and indigenous peoples

Not later than April 1 and October 1 of each year, the Administrator of the Agency for Inter-

national Development, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit to the Committee on Appropriations and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, as a combined report, the reports required by section 262m-2(c) of this title and by section 537(h)(2) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (sec. 1(e) of Public Law 100-202).

(Pub. L. 95-118, title XVII, §1703, as added Pub. L. 101-240, title V, §541(a), Dec. 19, 1989, 103 Stat. 2516.)

REFERENCES IN TEXT

Section 537(h)(2) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, referred to in text, is Pub. L. 100-202, §101(e) [title V, §537(h)(2)], Dec. 22, 1987, 101 Stat. 1329-131, 1329-163, which was classified to section 262l of this title.

CHANGE OF NAME

Committee on Banking, Finance and Urban Affairs of House of Representatives treated as referring to Committee on Banking and Financial Services of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

DEFINITIONS

The definitions in section 262r of this title apply to this section.

§ 262s. Multilateral development bank procurement

(a) Executive Directors

The Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to attach a high priority to promoting opportunities for exports for goods and services from the United States and, in carrying out this function, to investigate thoroughly any complaints from United States bidders about the awarding of procurement contracts by the multilateral development banks to ensure that all contract procedures and rules of the banks are observed and that United States firms are treated fairly.

(b)¹ Officer of procurement

(1) Establishment

The Secretary of the Treasury shall designate, within the Office of International Affairs in the Department of the Treasury, an officer of multilateral development bank procurement.

(2) Function

The officer shall act as the liaison between the Department of the Treasury, the Department of Commerce, and the United States Executive Directors' offices in the multilateral development banks, in carrying out this section. The officer shall cooperate with the Department of Commerce in efforts to improve opportunities for multilateral development bank procurement by United States companies.

¹ So in original. Two subsecs. (b) have been enacted.

(b)¹ “Multilateral development bank” defined

As used in this section, the term “multilateral development bank” includes the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Inter-American Investment Corporation, the Asian Development Bank, the African Development Bank, and the African Development Fund.

(Pub. L. 95-118, title XVIII, §1801, formerly Pub. L. 100-418, title III, §3202, Aug. 23, 1988, 102 Stat. 1382; renumbered §1801 of Pub. L. 95-118, Pub. L. 101-240, title V, §541(b)(1), Dec. 19, 1989, 103 Stat. 2517.)

CODIFICATION

Section was formerly classified to section 262q of this title prior to renumbering by Pub. L. 101-240.

SHORT TITLE

Section 3201 of Pub. L. 100-418 provided that: “This subtitle [subtitle C (§§3201, 3202) of title III of Pub. L. 100-418, enacting former section 262q of this title] may be cited as the ‘Multilateral Development Banks Procurement Act of 1988’.”

DEFINITIONS

The definitions in section 262r of this title apply to this section.

§ 262s-1. Procurement opportunities for United States firms

The Secretary of the Treasury shall instruct the United States Executive Directors of the multilateral development institutions to take all possible steps to ensure that information relating to potential procurement opportunities for United States firms is expeditiously communicated to the Secretary of the Treasury, the Secretary of State, and the Secretary of Commerce, and is disseminated as widely as possible to large and small businesses.

(Pub. L. 95-118, title XVIII, §1802, as added Pub. L. 101-240, title V, §541(a), Dec. 19, 1989, 103 Stat. 2516.)

DEFINITIONS

The definitions in section 262r of this title apply to this section.

§ 262s-2. Commercial Service Officers and multilateral development bank procurement**(a) Appointment of Commercial Service Officers to serve with Executive Directors**

The Secretary of Commerce, in consultation with the Secretary of the Treasury, shall appoint a procurement officer, who is a representative of the International Trade Administration or a Commercial Service Officer of the United States and Foreign Commercial Service, to serve, on a full-time or part-time basis, with each of the Executive Directors of the multilateral development banks in which the United States participates.

(b) Functions of officers

Each procurement officer appointed under subsection (a) of this section shall assist the United States Executive Director with respect to whom

such officer is appointed in promoting opportunities for exports of goods and services from the United States by doing the following:

(1) Acting as the liaison between the business community and the multilateral development bank involved, whether or not the bank has offices in the United States. The Secretary of Commerce shall ensure that the procurement officer has access to, and disseminates to United States businesses, information relating to projects which are being proposed by the multilateral development bank, and bid specifications and deadlines for projects about to be developed by the bank. The procurement officer shall make special efforts to disseminate such information to small and medium-sized businesses interested in participating in such projects. The procurement officer shall explore opportunities for disseminating such information through private sector, nonprofit organizations.

(2) Taking actions to assure that United States businesses are fully informed of bidding opportunities for projects for which loans have been made by the multilateral development bank involved.

(3) Taking actions to assure that United States businesses can focus on projects in which they have a particular interest or competitive advantage, and to permit them to compete and have an equal opportunity in submitting timely and conforming bidding documents.

(Pub. L. 95-118, title XVIII, §1803, formerly Pub. L. 100-418, title II, §2302, Aug. 23, 1988, 102 Stat. 1341; renumbered §1803 of Pub. L. 95-118, and amended Pub. L. 101-240, title V, §541(b)(2), Dec. 19, 1989, 103 Stat. 2517.)

CODIFICATION

Section was formerly classified to section 4722 of Title 15, Commerce and Trade, prior to renumbering by Pub. L. 101-240.

AMENDMENTS

1989—Subsec. (c). Pub. L. 101-240 struck out subsec. (c) which defined “multilateral development bank” for purposes of this section.

ADDITIONAL PROCUREMENT OFFICERS

Pub. L. 102-549, title V, §501, Oct. 28, 1992, 106 Stat. 3663, provided that:

“(a) APPOINTMENT.—The Secretary of Commerce, in consultation with the Secretary of the Treasury, shall appoint one or more full-time additional procurement officers, for each multilateral development bank, to promote exports of goods and services from the United States by doing the following:

“(1) Acting as the liaison between the business community and one or more multilateral development banks, whether or not the banks have offices in the United States. The Secretary of Commerce shall ensure that the procurement officer has access to, and disseminates to United States businesses, information relating to projects which are being proposed by the multilateral development bank involved, and bid specifications and deadlines for projects about to be developed by the bank. The procurement officer shall make special efforts to disseminate such information to small- and medium-sized businesses interested in participating in such projects. The procurement officer shall explore opportunities for disseminating such information through private sector, nonprofit organizations.